

DOCKET FILE COPY ORIGINAL

MICHAEL V. MATTISON

August 2, 2005

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

FAX: 866-418-0232

D4-208
05-194
RECEIVED

SEP - 1 2005

Subject: State's rules to promote consumer protections

Dear Commissioners:

Federal Communications Commission
Office of the Secretary

I am concerned to learn that -yet again- industry lobbyists from the telecommunications industry are working to stop any proposals that may encourage state government to fight fraud and deception by cell phone companies. I urge you to preclude such attempts and do not accept industry-crafted rules which will interfere with our state's ability to fight such fraud and deception.

In California, a bill moving through the state legislature seeks to prevent false or deceptive advertising, and set new rules requiring simplified billing presentation and better disclosure of contract trial periods. Similar measures have been introduced in Massachusetts and Wisconsin. The cell phone industry is well known for its lengthy, complex, convoluted, and onerous contracts, with layers of obligations and penalties on consumers. No other industry has been allowed such poor practices. And now - will the FCC support the industry's attempts to obstruct needed state rules to prevent such practices?

Don't prevent states from fixing my cell phone problems. I am writing to oppose CG Docket No. 04-208 and WT Docket No. 05-194, which will unjustly take away the authority of states to tackle problems with cell phone service, including absurd and abusive service cancellation penalties. What other industry gets paid a fat fee when its customers need to cancel their service? And worse, the proposal will put in place a weak set of cell phone company-endorsed rules that offer no improvements in service or enforcement.

Although CG Docket No. 04-208 purports to address consumer frustration with confusing cell phone bills, hidden fees and misleading advertising - the proposal does little for consumers. In the name of helping American consumers, the agency is proposing to block states from passing their own pro-consumer laws. And just as bad, WT Docket No. 05-194 would bar state courts from enforcing state law when it comes to unfair and abusive cell phone contracts. Since when did the FCC become the agent of the telecommunications industry? Since when did the FCC abandon its duty to Congress to regulate industry from precisely such abuses and nonsense?

The FCC should stand up to the cell phone industry, and respect states rights and strong consumer protections. Thank you for your serious consideration and response to this important issue.

Sincerely,



Michael V. Mattison

No. of Copies rec'd 042
List ABCDE